

EXHIBIT D

CLOSED, ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-07630-JSR

Nelson et al v. Merrill Lynch & Co., Inc. et al
Assigned to: Judge Jed S. Rakoff
Cause: 29:206 Collect Unpaid Wages

Date Filed: 08/29/2005
Date Terminated: 03/31/2006
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair
Standards
Jurisdiction: Federal Question

Plaintiff

Graham Nelson
individually

represented by **Michael Shen**
Michael Shen & Associates, P.C.
225 Broadway, Suite 2515
New York, NY 10007
(212) 227-0300
Fax: (212)-227-2714
Email: mshen@employmentlawny-nj.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Graham Nelson
*and on behalf of all others similarly
situated*

represented by **Michael Shen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Merrill Lynch & Co., Inc.
a corporation

represented by **Martin David Edel**
Miller & Wrubel, P.C.
250 Park Avenue
New York, NY 10177
(212) 336-3500
Fax: (212) 336-3555
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LEAD ATTORNEY
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Adam J. Safer
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250 Park Avenue
New York, NY 10177

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Email: asafer@mw-law.com
ATTORNEY TO BE NOTICED

Defendant

Merrill Lynch, Pierce, Fenner & Smith Incorporated
a corporation

represented by **Martin David Edel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam J. Safer
(See above for address)
ATTORNEY TO BE NOTICED

All Plaintiffs

Michael Shen & Associates, P.C.

represented by **Michael Shen & Associates, P.C.**
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PRO SE

Date Filed	#	Docket Text
08/29/2005	<u>1</u>	COMPLAINT against Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated. (Filing Fee \$ 250.00, Receipt Number 553775) Document filed by Graham Nelson(individually), Graham Nelson(and on behalf of all others similarly situated).(es,) Additional attachment(s) added on 9/16/2005 (lb,). (Entered: 08/31/2005)
08/29/2005		SUMMONS ISSUED as to Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated. (es,) (Entered: 08/31/2005)
08/29/2005		Magistrate Judge Andrew J. Peck is so designated. (es,) (Entered: 08/31/2005)
08/29/2005		Case Designated ECF. (es,) (Entered: 08/31/2005)
09/29/2005	<u>2</u>	STIPULATION AND ORDER; Miller & Wrubel P.C. is authorized to and accepts service of process on behalf of Merrill Lynch. Merril Lynch has until 11/25/05 to answer the complaint. (Signed by Judge Gerard E. Lynch on 9/27/05) (kco,) (Entered: 09/30/2005)
09/29/2005		Set/Reset Deadlines: Merrill Lynch & Co., Inc. answer due 11/25/2005. (kco,) (Entered: 09/30/2005)
10/06/2005	<u>3</u>	NOTICE of Appearance by Adam J. Safer on behalf of all defendants (Safer, Adam) (Entered: 10/06/2005)

10/06/2005	<u>4</u>	NOTICE of Appearance by Martin David Edel on behalf of all defendants (Edel, Martin) (Entered: 10/06/2005)
11/21/2005	<u>5</u>	MOTION for Terry E. Sanchez, Malcolm A. Heinicke, Katherine M. Forster and Jean Y. Rhee to Appear Pro Hac Vice for defts. Document filed by Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated. (cd,) (Entered: 11/22/2005)
11/23/2005	<u>6</u>	ANSWER to Complaint. Document filed by Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated.(Safer, Adam) (Entered: 11/23/2005)
11/23/2005	<u>7</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated. (Safer, Adam) (Entered: 11/23/2005)
11/30/2005	<u>8</u>	ORDER granting <u>5</u> Motion for Malcolm A. Heinicke to Appear Pro Hac Vice . (Signed by Judge Gerard E. Lynch on 11/22/05) (cd,) (Entered: 12/01/2005)
11/30/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>8</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd,) (Entered: 12/01/2005)
11/30/2005	<u>9</u>	ORDER ADMITTING ATTORNEY Terry E. Sanchez PRO HAC VICE. (Signed by Judge Gerard E. Lynch on 11/22/05) (cd,) (Entered: 12/01/2005)
11/30/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>9</u> Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd,) (Entered: 12/01/2005)
11/30/2005	<u>10</u>	ORDER ADMITTING ATTORNEY Katherine M. Forster PRO HAC VICE. (Signed by Judge Gerard E. Lynch on 11/22/05) (cd,) (Entered: 12/01/2005)
11/30/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>10</u> Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd,) (Entered: 12/01/2005)
11/30/2005	<u>11</u>	ORDER ADMITTING ATTORNEY PRO HAC VICE. The foregoing Motion for leave to appear pro hac vice of Jean Y. Rhee, Esq. to practice before the Court in this action is hereby GRANTED. (Signed by Judge Gerard E. Lynch on 11/22/05) (js,) (Entered: 12/05/2005)
12/05/2005	<u>12</u>	MOTION for an order, admitting Terry E. Sanchez, Esq., Malcolm A. Heinicke, Esq., Katherine M. Forster, Esq. and Jean Y. Rhee, Esq., all of the Firm: Munger, Tolles & Olsen LLP to Appear Pro Hac Vice. Document filed by Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated. (sac,) (Entered: 12/07/2005)
12/12/2005	<u>13</u>	AFFIDAVIT OF SERVICE. Merrill Lynch & Co., Inc. served on 9/21/2005, answer due 11/25/2005. Service was accepted by Satti Jairam, Legal Clerk. Document filed by Michael Shen & Associates, P.C.. (Shen,

		Michael) (Entered: 12/12/2005)
12/12/2005	<u>14</u>	AFFIDAVIT OF SERVICE. Merrill Lynch, Pierce, Fenner & Smith Incorporated served on 9/21/2005, answer due 10/11/2005. Service was accepted by Satti Jairam, Legal Clerk. Document filed by Michael Shen & Associates, P.C.. (Shen, Michael) (Entered: 12/12/2005)
01/19/2006	<u>15</u>	NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Gerard E. Lynch no longer assigned to the case due to judge's recusal. (jeh,) Modified on 1/20/2006 (jeh,). (Entered: 01/20/2006)
02/03/2006	<u>16</u>	CASE MANAGEMENT PLAN: Amended Pleadings due by 5/5/2006. Joinder of Parties due by 4/3/2006. Responses due by 6/16/2006. Replies due by 6/23/2006. Discovery due by 5/26/2006. Final Pretrial Conference set for 6/30/2006 at 10:00 AM before Judge Jed S. Rakoff. (Signed by Judge Jed S. Rakoff on 2/4/2006) (lb,) (Entered: 02/03/2006)
02/03/2006		Minute Entry for proceedings held before Judge Jed S. Rakoff : Interim Pretrial Conference held on 2/3/2006. (dj,) (Entered: 02/03/2006)
03/09/2006		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 3/9/2006. (dj,) (Entered: 03/10/2006)
03/13/2006		Minute Entry for proceedings held before Judge Jed S. Rakoff : Pretrial Conference held on 3/13/2006, regarding plaintiff's proposed stipulation of dismissal. (sac,) (Entered: 03/14/2006)
03/30/2006	<u>17</u>	TRANSCRIPT of proceedings held on 3/13/2006 @9:45 a.m. before Judge Jed S. Rakoff. (lb,) (Entered: 03/30/2006)
03/31/2006	<u>18</u>	STIPULATION AND ORDER this action is dismissed. This dismissal is with prejudice with regard to plaintiff only. Notwithstanding the foregoing to the extent another action is filed in or removed to a federal court in New York against Merrill Lynch or any of its affiliates asserting similar claims on behalf of a similar proposed class, such action shall be filed before the undersigned judge or upon filing a notice of related case shall be filed so that the undersigned judge can consider a relation of the cases the judge assigned to the new action can transfer that case to the undersigned judge for its consideration. (Signed by Judge Jed S. Rakoff on 3/30/06) (dle,) (Entered: 03/31/2006)
04/20/2006	<u>19</u>	TRANSCRIPT of proceedings held on 3/13/2006 before Judge Jed S. Rakoff. (jar,) (Entered: 04/20/2006)